

REMARKS

Applicant thanks the Examiner for the very thorough consideration given the present application.

Claims 1 and 3-10 are now present in this application. Claims 1, 3-7, and 10 are independent.

Claim 2 has been cancelled and claims 3-5 have been amended. Reconsideration of this application, as amended, is respectfully requested.

I. Reasons for Entry of Amendments

At the outset, it is respectfully requested that this Amendment be entered into the Official File in view of the fact that the amendments to the claims automatically place the application in condition for allowance.

In the alternative, if the Examiner does not agree that this application is in condition for allowance, it is respectfully requested that this Amendment be entered for the purpose of appeal. This Amendment reduces the issues on appeal by canceling claim 2 (the only rejected claim) and rewriting allowable claims 3-5 into independent form. This Amendment was not presented at an earlier date in view of the fact that Applicant did not fully appreciate the Examiner's position until the Final Office Action was reviewed.

II. Drawings

Applicant thanks the Examiner for accepting the drawings filed on December 14, 2000.

III. Rejection Under 35 U.S.C. § 102(b)

Claim 2 stands rejected under 35 U.S.C. § 102(b) as being anticipated by Kuroda et al. This rejection is respectfully traversed.

A complete discussion of the Examiner's rejection is set forth in the Office Action, and is not being repeated here.

While not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the instant application, Applicant respectfully submits that claim 2 has been cancelled, thus rendering this rejection under 35 U.S.C. § 102(b) moot. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

IV. Allowable Subject Matter

The Examiner states that claims 1 and 6-10 are allowed, and that claims 3-5 would be allowable if rewritten in independent form.

Applicant thanks the Examiner for the early indication of allowable subject matter in this application. Claims 3-5 have been rewritten into independent

form including all of the limitations of the base claim, and should therefore be allowed.

V. Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone James T. Eller, Jr., Registration No. 39,538, at (703) 205-8000, in the Washington, D.C. area.

Prompt and favorable consideration of this Amendment is respectfully requested.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit

Application No.: 09/735,645
Art Unit 2655

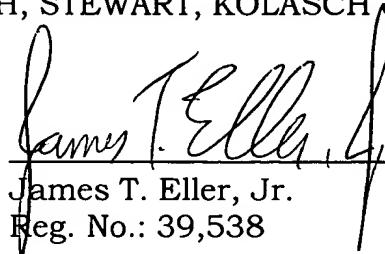
Attorney Docket No. 3449-0141P
Amendment filed December 14, 2000
Page 11

Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By:


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